

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICKEY FUGATE,

Defendant.

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Case No. 3:09cr165

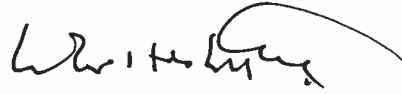
JUDGE WALTER HERBERT RICE

ENTRY SETTING BRIEFING SCHEDULE ON ISSUE REMANDED
FROM THE SIXTH CIRCUIT COURT OF APPEALS

On September 7, 2012, the United States Court of Appeals for the Sixth Circuit, while affirming this Court's decision to suppress certain evidence in the captioned cause, remanded for the purposes of allowing this Court to determine the applicability of the good-faith exception within the factual context of the captioned cause. The mandate from the Sixth Circuit Court of Appeals has yet to be entered.

During a telephone conference call, held between Court and counsel on September 20, 2012, it was agreed that 21 days after the mandate has issued, the parties will file simultaneous memoranda on the remanded issue, with the parties filing a reply memoranda 14 days later. It is the intention of this Court that the two filings referenced above be contemporaneous with each other.

Both the Government and the defense agree that no further evidentiary hearing is needed.

A handwritten signature in black ink, appearing to read "Walter Herbert Rice", written above a horizontal line.

October 1, 2012

WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record